

## **EXHIBIT D**

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June 16, 2005

VIA FACSIMILE

Rebecca L. Hanovice, Esq.  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618

RE: ScanSoft, Inc. v. Voice Signal Technologies, Inc., et. al  
Civil Action No. 04-10353 PBS

Dear Rebecca:

This responds to the fax you directed to me last evening, which purports to follow-up to a conversation which we had during the afternoon of June 15, 2005. Your fax mischaracterizes the content of our discussion.

You will recall that I inquired as to whether it made better sense to postpone Dr. Grabherr's deposition until after our June 17, 2005 appearance before the Court, in recognition of the possibility that we might receive guidance from the Court during that hearing concerning the proper boundaries of ScanSoft's trade secret discovery efforts. I observed that conducting Dr. Grabherr's deposition after the hearing on the 17<sup>th</sup> might provide greater clarity to both parties concerning the scope of proper trade secret discovery, and has the substantial benefit of minimizing the risk of piece-meal discovery, or the possibility that Dr. Grabherr could be required to appear on more than one occasion for deposition.

I informed you that the ultimate determination of whether to proceed with Dr. Grabherr's deposition on June 16<sup>th</sup> was yours to make. I further informed you that, should you proceed with Dr. Grabherr's deposition on that date, the examination would proceed under the restrictions imposed by various Court Orders to date which sharply limit ScanSoft's right to trade secret related discovery (for instance, by prohibiting, among other things, discovery of Voice Signal source code trade secrets, and prohibiting discovery of the individual defendant's activities at

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Voice Signal, except during the 12 months after the date that each was hired by Voice Signal). I expect that ScanSoft intends to conduct Dr. Grabherr's deposition in compliance with those orders. Please inform me if that is not your intent.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Popeo", with a large, stylized "P" and a horizontal flourish at the end.

Paul D. Popeo

PDP/slW:3944311